

**Called
to Right
Relationship**

Policy for the Protection of Elders and Dependent Adults



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The Diocese of California takes seriously the welfare, respect and care of its elders and dependent adults. In addition to the pastoral care responsibilities for elders and dependent adults that all Christians are called to observe, our Baptismal Covenant calls us to strive for justice and peace among all people, and respect the dignity of every human being. Because of this,

We commit to respect the rights of elders and dependent adults, including:¹

- the right to be safe;
- the right to accept or refuse help;
- the right to confidentiality;
- the right to individual differences — including cultural, historical and personal values;
- the right to receive information about their choices and options in a form or manner that they can understand;
- the right to have decision-making capacity (unless a court adjudicates otherwise);
- the right to make decisions that do not conform with societal norms as long as these decisions do not harm others; and
- all their civil and constitutional rights (unless restricted by court action).

Rights

We commit to the prevention of elder abuse by:

- Educating parishioners about their rights and about types of elder abuse
- Bringing the issue of elder abuse and its prevention to the attention of The Episcopal Church and other denominations
- Educating older parishioners about the option to assign responsibility to an outside person if their children are of concern
- Staying apprised of current trends in elder abuse and techniques for stopping it
- Training appropriate personnel in techniques for interviewing older parishioners
- Seeking assistance from other entities (social services, medical/nursing personnel, government agencies)

Prevention

¹Adapted from “Ethical Principles and Best Practice Guidelines” found online at the National Center on Elder Abuse (www.ncea.aoa.gov).

- Describing how family members, with the help of legal counsel, can explore options such as financial conservatorship for clients who are frail, mentally ill, or cognitively impaired
- Encouraging clients or family members to discuss with legal counsel the option to assign financial guardian or power of attorney, as needed
- Reporting suspected cases of elder abuse to local authorities

Our elders are often the people who depend most on the Church and its leaders for guidance and protection. The Church is thus responsible for a high level of care, attention and compassion in this area. Clergy are mandated reporters for elder abuse, which involves not only physical and emotional abuse and harassment, but financial abuse as well. In the State of California, mandated reporters (which include all ordained clergy) are expected to comply with the following:

“Any mandated reporter who, in his or her professional capacity, or within the scope of his or her employment, has observed or has knowledge of an incident that reasonably appears to be physical abuse, as defined in Section 15610.63 of the Welfare and Institutions Code, abandonment, abduction, isolation, financial abuse, or neglect, or is told by an elder or dependent adult that he or she has experienced behavior, including an act or omission, constituting physical abuse, as defined in Section 15610.63 of the Welfare and Institutions Code, abandonment, abduction, isolation, financial abuse, or neglect, or reasonably suspects that abuse, shall report the known or suspected instance of abuse by telephone immediately or as soon as practicably possible, and by written report sent within two working days....”²

Defining Elder Abuse

Standard definitions supplied by the National Center on Elder Abuse

Physical abuse — Use of force to threaten or physically injure a vulnerable elder

Emotional abuse — Verbal attacks, threats, rejection, isolation, or belittling acts that cause or could cause mental anguish, pain, or distress to an older adult

Sexual abuse — Sexual contact that is forced, tricked, threatened, or otherwise coerced upon a vulnerable elder, including anyone who is unable to grant consent to have sex

Exploitation — Theft, fraud, misuse, or neglect of authority, and use of undue

². From Section 15630(b)(1) of the State of California Welfare and Institutions Code.

influence as a way to gain control over an older person's money or property

Neglect — A caregiver's failure or refusal to provide for a vulnerable elder's safety, physical, or emotional needs

Abandonment — Desertion of a frail or vulnerable elder by anyone with a duty of care for an older adult

Self-neglect — An inability to understand the consequences of one's own actions or inaction, which leads to, or may lead to, harm or endangerment

Checklist for prevention³

Any person — elders, family members, or professionals — who suspects that financial abuse of an elder has occurred should report it to appropriate authorities, such as Adult Protective Services or a law enforcement agency. Reports can be made confidentially, and, in most cases, the reporting person is protected from civil and criminal liability.

**Preventing
Financial
Abuse of
Elders**

Successful prevention of elder abuse demands a multidisciplinary approach. There are a number of strategies that both lay members and clergy can employ to help protect elders. Older adults themselves can take several precautions to avoid falling prey to abuse.

Stay connected

Keep in touch with families, friends, and neighbors as much as possible. Stay in touch with the church. One of the hallmarks of abuse is isolation, and being in contact with a number of different people and entities can help reduce the likelihood that a person could be abused.

Stay organized

Keep belongings neat; keep track of possessions; open and send your own mail; direct deposit Social Security and other checks; complete and sign your own checks whenever possible; use an answering machine to screen calls and if possible, do not provide personal information over the telephone or computer.

Stay informed

Consult with an attorney about future plans, including executing a power of

³. (Adapted from *Broken Trust: Elders, Finances, and Family*, May 2009, the MetLife Mature Market Institute)

attorney; consult with an attorney about caregiving arrangements; review your will; know where to go if you suspect abuse; ask for help from the church, from police, from Adult Protective Services, or if necessary, employees at a bank.

Stay alert

Do not leave items of value out in the open; do not sign any document unless someone you trust reviews it; do not be left out of decisions about your finances or other important parts of your life.

Families, particularly those who find themselves in a caregiving role, should be aware of situations that place their older loved ones at risk for abuse. Family members should periodically inquire about their older family members' financial resources and perceived limitations that may stem from their financial situation. They also need to keep an eye out for such things as:

- Unusual worry about finances or fear of an individual
- Unexplained trembling or crying
- Changes in communication patterns
- Any abrupt change in behavior
- Overpayment for goods and services
- Unusual cash withdrawals from a financial account in a short period of time
- Missing belongings from the home or room in a facility
- Excessive time spent on the Internet
- A signature that seems forged, unusual, or suspicious
- An unexplained reduction in bank accounts
- An increase in the number and amount of credit card accounts
- An abrupt or unexplained change in the power of attorney, will, or other legal or financial documents
- Sudden transfer of assets to a family member or someone outside the family

Behavioral Standards for those in Ministry —

Care must be taken to balance the duty to protect the safety of the vulnerable adult with the adult's right to self-determination. In addition, older people and people with disabilities who are victims of abuse, exploitation or neglect should be treated with honesty, caring and respect.

- Focus on ministry that maximizes the vulnerable adult's independence and choice to the extent possible based on the adult's capacity.

- Use family and informal support systems first as long as this is in the best interest of the adult.
- Maintain clear and appropriate professional boundaries.
- Volunteers in regular ministry with elders and dependent adults should complete diocesan-approved training for eucharistic visitors, which includes attention to pastoral and abuse prevention standards.
- Do no harm. Inadequate or inappropriate intervention may be worse than no intervention.

**— with
Elders
and
Dependent
Adults**

First, stay connected with your older friends, neighbors, and relatives. Maintaining communication helps decrease isolation, a risk factor for mistreatment. It will also give elders a chance to talk about any problems that he or she may be experiencing.

**Responding
to
Concerns**

Anyone who suspects an incident of elder abuse should contact their county Adult Protective Services office (statewide contact information here: [county APS Office](#)) or the local law enforcement agency. Forms to assist in reporting suspected abuse can be found here:

- [Report of Suspected Dependent Adult/Elder Abuse, SOC 341](#) (pdf)
- [Translation: Spanish](#) (pdf)
- [Report of Suspected Dependent Adult/Elder Financial Abuse, SOC 342](#) (pdf)

In addition, suspected elder abuse or neglect among parishioners should be reported to the rector/vicar. Anyone who knows of a violation of these policies by a clergy person shall immediately report the violation to the bishop's office.

Rector/vicars hearing reports of violations of this policy shall be responsible for providing appropriate pastoral care to all those affected and appropriate remedial and/or disciplinary action including reporting to appropriate authorities and/or termination of employment or volunteer ministry with the Church.

The bishop, hearing reports of violations by clergy, or by adults at diocesan events, shall be responsible for providing appropriate pastoral care to all those affected and appropriate remedial and/or disciplinary action, up to and including canonical disciplinary action.

For further information:

National Center on Elder Abuse

c/o University of California – Irvine Program in Geriatric Medicine
101 The City Drive South, 200 Building, Orange, CA 92868
Telephone: 1.855.500.3537 • Email: ncea-info@aoa.hhs.gov
Website: http://www.ncea.aoa.gov/ncearoot/Main_Site/index.aspx

National Committee for the Prevention of Elder Abuse

151 First Avenue, #93, New York, NY 10003
Phone: 1.646.462.3603 • Email: info@preventelderabuse.org
Website: <http://preventelderabuse.org/>

National Clearinghouse on Abuse in Later Life

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Phone: 1.608.255.0539 • Email: wcadv@inxpress.net
Website: <http://www.ncall.us/>